

04 NCAC 24C .0208 is proposed for amendment as follows:

04 NCAC 24C .0208 DISQUALIFICATION OF APPEALS REFEREE

(a) An Appeals Referee shall be free of any personal interest or bias in the appeal over which he or she is presiding.

(b) An Appeals Referee shall not participate in hearing an appeal in which that Appeals Referee has a personal interest in the outcome of the appeals decision.

(c) An Appeals Referee may recuse ~~themselves~~ himself or herself from a hearing to avoid the appearance of impropriety or partiality.

(d) A pre-hearing challenge to the impartiality of a designated Appeals Referee shall be in writing, addressed to the Chief Appeals Referee, and shall be heard and decided by the Chief Appeals Referee or designee.

(e) The Chief Appeals Referee or designee's decision on any pre-hearing challenge to the impartiality of an assigned Appeals Referee shall be in writing and mailed to the parties.

History Note: Authority G.S. 96-4; 96-15; 20 CFR 650.2;

Eff. July 1, 2015;

Amended Eff. July 1, 2018.